

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:)	No. B-10-80697 C-13D
Anthony W. Pierce)	
Alicia A. Pierce)	
)	
Debtor(s))	

ORDER GRANTING MODIFICATION OF PLAN

On July 14, 2011, a hearing was held on Motion by the Debtors to modify their Chapter 13 plan pursuant to 11 U.S.C. §1329. At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtors; Richard M. Hutson II, Standing Trustee appeared, and no other party appeared or objected to the Motion. The Court, after considering the Motion and having heard and considered the statements of the Trustee, finds that there is sufficient evidence of a substantial change in the Debtors' circumstances and that the modification complies with the provisions of 11 U.S.C. §1325; therefore, it is ORDERED:

1. The Motion by the Debtors pursuant to 11 U.S.C. §1329 is granted.
2. The Debtors' plan payments are scheduled at \$2,950.00 per month beginning July, 2011, and shall continue until all secured and priority claims are paid in full and the applicable commitment period is satisfied.
3. Any default in payments prior to July, 2011, under the plan is waived and the plan shall be extended to the term necessary to pay the delinquent amount.
4. Capital One holds a lien on the Debtors' 2004 BMW and said creditor shall be paid in equal monthly installments of \$495.44.
5. John T. Orcutt, Esq. is allowed the presumptive fee of \$250.00 for services rendered in the filing of this Motion which shall be paid through the Debtors' plan.

PARTIES IN INTEREST

**Page 1 of 1
10-80697 C-13D**

**ALL PARTIES OF RECORD AS OF THE DATE OF THE ORDER SHALL BE
SERVED BY THE BANKRUPTCY NOTICING CENTER**